There are some people who think that the newly introduced draconian traffic fines by Prime Goon, aka Conman Modi is a good move. I am here to argue my case on why this move is as ham-fisted & as cruel as Demonetization

Here are grounds on which I attempt to prove my hypothesis

1. Proportionality of punishment to crime
2. Punishing effects without punishing the cause
3. Crime abetter benefiting from the crime proceeds

Before we move forward, here is some background

The median(not avg) income of an Indian in 2013 is $616, i.e ~₹102/day. It cant be more than ~₹200/day in 2019. These are not savings, but mere income including expenses. I am making a guess that he can save roughly ~₹50–100/day if he does not have a family/ kids. So if you fine a man a sum equivalent to ₹23,000 rupees, which one man was recently fined in Delhi, how long will it take for him to pay back this fine? 230–460 days of work to pay the fine? What if he/any of his family member gets sick? (or) needs to send his kids to school?

Sure, you can put forward an argument that he will not make that mistake again with that fine, no one forced him to do that mistake &

he needs to follow the *damn rules*, not everyone gets that high fine, e.t.c, sure you are *probably* right. But that over–simplified argument ignores the fundamental principles of justice

There is a simple principle in justice system. It goes something like this. The **punishment must be proportional to the crime committed**

Can the Govt say, if you jump a red light, I will chop your head off? I am sure that will deter people from jumping red lights. How about chopping off hands for theft? What about severe corporal punishment (public beating) incase of public urination? And if you put forward an argument saying, no one forced you to jump red signal, no one forced him to steal, your argument no longer sounds reasonable, because they are dis–proportionate to crime at hand

If they are not reasonable, then how come severe financial punishment for an avg Indian is fair? Is it because he broke few draconian statues on the book? esp when the Govt is an enabler for this rule breaking? (I'll explain how Govt plays an enabling role in this lil later)

Lemme take a slightly milder example. Many poor were denied access to subsidized food because because they couldn't be authenticated with Aadhar. You can make a claim that no one forced them not to have Aadhar. It sounds reasonable on the surface, but it ignores realities of how bureaucracies function & the issues within

Aadhar itself, such as, issues with the finger print machine/network connection/the original finger print reader used to enroll was buggy/software bug/Orginal fingerprint encoding was wrong. e.t.c. This forces these poor people to go to mandal/district head quarters to re-enroll fingerprint again in Aadhar, which involves bribes again

How about this? When buying railway tickets, can we fine ₹1000 every man who attempts to jump the queue? If you think YES is a right answer to that, you are again not seeing full picture. Even to this, you can say, no one asked him to jump the queue, he should stand in the *damn queue.* This reasoning is flawed because most of the railway stations have terribly low number of live counters that issue tickets when compared to the number of passengers. Everyone is forced to wait 30–45mins most of the time to get tickets. A large number of people needs to rush from office to railway station everyday to get to their house. And the time train starts & the amount of time they have to wait to get general ticket is not that luxurious. Sure, people might have passes and other things, but what about non regular travelers? A fair question to ask is what portion of the blame does the guy jumping queue be attributed to the team responsible to manage ticket issual? Obviously, its not zero

Imagine a system that deliberately/incompetently does not provide enough ticket counters, but takes ₹1000 in fines from everyone who jumps the queue. You can see that they are blindly robbing people by creating a shitty system that enable queue jumping in the first place

Another question to ask is, **what empirical method was followed to make these (draconian) fines**? Can a portion of blame of traffic rule violations be attributed to Govt? If so, can we as people fine Govt officials for creating a situation where people are forced to break rules in order to be a productive member of society by wanting to spend more time at workplace & home rather in the miserable road infrastructure provided by Govt while breathing the pollution?

If you say, why are you using private vehicles, why dont you use public transport, I have answers for them too, but they are only connected to this issue as an appendage. As an example, how will poor working class people travel from their house to the railway/bus station? How will they travel from railway station to work? Can they afford to stay in places that are close to railway/bus station, esp. when we know cost of living is in general proportional to amenities in a given area? Can they afford to take Auto for this commute?. All these strongly imply need for slightly inexpensive private vehicle

We all know answers to these questions

Lets me now focus on why I believe Govt is culpable for bad behavior. Here are some aspects I want to focus on

1. Quality of roads
2. Quality of signals & signs

3. Bribes

Quality of roads

Given the terrible condition Indian roads are in, you will be forced to spend 1–2hrs to reach from *point A* → *point B* & 1–2hrs more during return journey in most Indian cities, here are their consequences. People

1. Jump traffic signals
2. Speed in areas where there are speed limits

Suppose ¼th → ½ cross section of road has potholes in a single stretch, whats the likely hood of people slowing & distributing the traffic pattern? If a non significant proportion of the traffic is already blocked and you are struck in that queue, what would be the likely hood of you speeding up till the next signal? Its certainly not insignificant. Then who is responsible for this? You (or) those that provide infrastructure (or) both?

What about traffic signal jumps? In which of the following two scenarios would people jump traffic more?

1. Where the road has very little potholes
2. Where the road has a lot of potholes slowing down the traffic

Its reasonable to assume that the later will have lot more traffic jumps. Then who is responsible for this?

Quality of signals & signs

What about the condition of traffic lights & road signs that indicate whether you have actually broken a rule?

I have come across many places where police stand using speed gun & the speed limit signs are either not in line–of–sight/hiding behind a tree/some other obstacle/only visible from the place where police are standing/the sign exists only on one side of the road thats invisible from if you move from one side of the road

Lemme give another example. Go to a new area that has a reasonably sized flyover. There are many flyovers in Bangalore where the flyovers split in the middle with no indication—no sign to tell which lane takes where—If you take wrong lane, you are forced to get down to the wrong area & now you are again forced to suffer traffic you already suffered once again. What would people do in that case? They try to squeeze as much as possible with as little as levy as they get, which enables bad behavior. Then who is responsible for this?

Finally, I have come across multiple parking spots where the sign that says *you cant park here* is more than 100 meters away. Do you as a rider need to walk 100 meters on both sides to verify whether its a valid parking spot or not? Every time? In some places, you can't be certain even if other vehicles are parked on a given spot, its because you dont know for a fact till someone impounded your vehicle that its a no parking zone

Bribes

How many traffic police men are actually caught & punished for bribery by Govt till date in the last 1 year across the whole country? I am not talking about those police who were caught because people did a sting on them, but the Govt agencies actually catching a corrupt Traffic police officer? I have not come across any such news story. Even if there are, they are almost negligent when compared to the proportion of bribes

Once you make the fines draconian, a large portion of those that were paying fines properly earlier for violations would now start paying direct bribes because they are unaffordable even for them. And given Indian police, what will happen because of this law is just police pocketing more illicit money & I believe it might even result in lower fine collection, which only benefits crooked cops, not state

The point of everything I said above is this. When every opportunity is created for people to break the law is abetted by Govt institutes, while benefiting from the bad environment they created, what you have is an immoral, unjust system, created by those whose goal is to milk people, not achieve justice

With these draconian fines, **what you are punishing are the effects, not the cause**. This is like drug pusher punishing drug user for the crime of consuming the drug. Sure, drug user also has to shame the blame, but he alone is not responsible for that

Can we pass part of fines to the bureaucracy for making us either knowingly *(incase of traffic signal jumps due to the condition of roads)*/unknowingly *(incase of badly managed signs)* making people violate the rules that they indirectly created in the first place?

I recognize that increasing the cost of committing a crime/violation is a decent way to dis–incentivize bad behavior, but when the enabler of the crime/violation is not only giving punishment to the crime but also getting benefited from the proceedings, that's when we cross the line. These draconian fines are only possible **not because of rational thinking, but in exercise of sheer hypocrisy & brute power**

Ask these fundamental questions

Q. Has the Govt done the utmost it could before it asked the people to behave better?

A. This a *huge* NO

Q. Then on what basis is the crime enabler expecting people to be better behaved than himself, while pocketing the proceeds?

A. Because he CAN

These two questions answer everything that we have to know about draconian laws

Instead of what we have now, a more reasonable way to solve the problem is, create stringent guidelines first about the infrastructure by decentralizing the power, i.e create a mechanism to ensure that citizen bodies have powers to ensure infrastructure is maintained well. For e.g, they should have powers such as

1. Fine the contractor for bad maintenance of roads
2. Power to decide on making a given road 1–way/2–way depending on traffic pattern

& then increase fines

Someone said recently that the **Prime Goon wants to recapitalize scam infested banks using traffic fines**. This is quite apt & to the point. From my perspective, what we got is **US fines with Somalia's infrastructure**

The fines should be progressive, meaning, fines should start low for first violation, increase linearly for next few violations, and then increase exponentially with a maximum cap. **With this progressive fine model, we both deter habitual law breakers while while ensuring punishment is proportional & violators are given an opportunity to self correct**. I am for heavier fines for traffic violations than what we had earlier, but they must accompany the other reforms in accountability

This draconian fines looks like an idea proposed by someone who lived in First world country sitting in his ivory tower planning how to make Indians follow traffic rules better, without giving any due regard for the structural underpinnings of bad traffic behaviour

Since we all know reforms towards accountability in infrastructure is something that will never take place under current unscrupulous Goons sitting in Delhi, what we got now is **First world fines with Third world accountability**